



September 12, 2013

Ex Parte

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform – Mobility Fund, WC Docket Nos. 10-90, 07-135, 05-337, 03-109, CC Docket Nos. 01-92, 96-45, GN Docket No. 09-51, WT Docket No. 10-208

Dear Ms. Dortch:

On Wednesday, September 11, 2013, Scott Bergman (CTIA), Josh Seideman (NTCA), Bennett Ross (Wiley Rein), and the undersigned met with Suzanne Tetreault, Diane Holland and Marcus Maher (OGC), Geoffrey Blackwell and Irene Flannery (CGA), and Alex Minard (WCB). Our discussion addressed certain tribal engagement issues raised in two Petitions for Reconsideration¹ previously filed by USTelecom in these dockets.

As described in more detail in those petitions, we raised Administrative Procedure Act, First Amendment, and Paperwork Reduction Act and vagueness concerns. In addition, we focused on the need for written guidance clarifying that the Form 481 reports that must be filed shortly need not address compliance with tribal engagement rules that were only recently approved by the Office of Management and Budget. We also reiterated our 2012 request² that the Commission clarify that the Further Guidance on Tribal Government Engagement Obligation Provisions of the Connect America Fund is intended to provide a best practices guide for tribal engagement.

¹ See Petition for Reconsideration and Clarification of the United States Telecom Association, WC Docket No. 10-90 *et al.* (filed Aug. 20, 2012); See The United States Telecom Association's Petition for Reconsideration and Clarification and Comments in Response to Paperwork Reduction Act, WC Docket No. 10-90 *et al.* (filed Apr. 4, 2013).

² See Letter from David Cohen, USTelecom, to Marlene Dortch, FCC, WC Docket No. 10-90 *et al.* (filed Nov. 19, 2012).

Ms. Marlene Dortch
September 12, 2013
Page 2

Pursuant to Commission rules, please include this ex parte letter in the above-identified proceedings.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Banks". The signature is fluid and cursive, with the first name "Jonathan" and the last name "Banks" clearly distinguishable.

Jonathan Banks
Senior Vice President, Law & Policy

c: Suzanne Tetreault
Diane Holland
Marcus Maher
Geoffrey Blackwell
Irene Flannery
Alex Minard